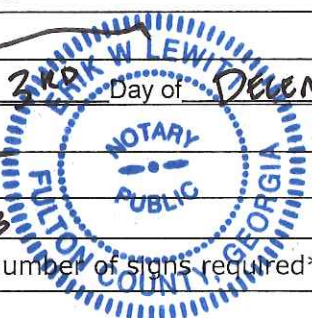




RECEIVED
DEC 03 2014
BY: P. Ruffin

Amendment Application

Applicant	Name: Jordan Williams	
	Address: 914 Howell Mill Rd. Suite 400	
	Phone: 405.519.7728	Fax: 404.836.3100 Email: jwilliams@plexus-architecture.com
Property Owner	Owner's Name: Ken Provost	
	Owner's Address: 2620 Buford Highway, Atlanta, GA 30324	
	Phone: 404.636.9237	Fax: N/A Email: N/A
Property Information	Property Address: 2620 Buford Highway, Atlanta, GA 30324	
	Parcel Size: 1.623 acres	
	Parcel ID: 18 154 01 001 (DeKalb County), 17 0006 LL156 (Fulton County)	
	Current Zoning Classification: RM-175	
Questionnaire	Requested Zoning Classification: C-1	
	1. Is the zoning proposal in conformity with the policy and intent of the comprehensive plan? See Attachment 01	
	2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties? See Attachment 01	
	3. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned? See Attachment 01	
	4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? See Attachment 01	
	5. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal? See Attachment 01	
	6. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources? See Attachment 01	
	7. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? See Attachment 01	
	To the best of my knowledge, this zoning application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the	
	Affidavit	Applicant's Name: Jordan Williams Date: 12/3/14
Applicant's Signature: [Signature] Date:		
Notary	Sworn to and subscribed before me this 3rd Day of DECEMBER, 2014	
	Notary Public: Erik Lewett	
	Signature: [Signature]	
	My Commission Expires: SEPT 2018	
<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee (\$135 x number of signs required*) <input type="checkbox"/> Legal Admin Fee \$10		




R214-32



**Property Owner(s)
Notarized Certification**

The owner and petitioner acknowledge that this Zoning Map Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for zoning amendment, and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner (If Applicable)	Signature: <u>Michael Vanech</u> CBA Secretary	Date: <u>12/03/14</u>
	Address: <u>2620 Buford Hwy</u>	City, State: <u>Atlanta, GA</u> Zip: <u>30324</u>
	Phone: <u>404-814-9871</u>	
	Sworn to and subscribed before me this <u>3RD</u> day of <u>DECEMBER</u> , 20 <u>14</u>	
Property Owner (If Applicable)	Notary Public: 	
	Signature:	Date:
	Address:	City, State: Zip:
	Phone:	
Property Owner (If Applicable)	Sworn to and subscribed before me this _____ day of _____, 20____	
	Notary Public:	
	Signature:	Date:
	Address:	City, State: Zip:
Property Owner (If Applicable)	Phone:	
	Sworn to and subscribed before me this _____ day of _____, 20____	
	Notary Public:	



Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Brookhaven City Council or a member of the City of Brookhaven Planning Commission?

Applicant / Owner

Signature: Michal Vorach CBA Secretary


Address: 2620 Buford Hwy. Atlanta GA 30324

Date: 12/03/14

[illegible]



Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Brookhaven City Council or a member of the City of Brookhaven Planning Commission?

Applicant / Owner	Signature:  Jordan Williams
	Address: 914 Howell Mill Rd., Suite 400 Atlanta GA 30318
	Date: 12/3/14

[illegible]



**PRE-APPLICATION FORM
REZONING, SPECIAL LAND USE PERMIT(S) AND
VARIANCE(S)**

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Department by calling (404) 637 – 0500. This form will be completed during the pre-application meeting, and must be submitted at the same time you submit your application.

Applicant: Jordan Williams

Site Address: 2620 Buford Highway, Atlanta, GA 30324 Parcel Size: 1.613 acres

Proposal Description: Re-zone parcel from RM-75 to C-1 to bring the existing
non-conforming use (Knights of Columbus Lodge) into conformance with zoning
and Comprehensive Land Use Map designations.
and Comprehensive Land Use Map designations.

Existing Zoning Designation and Case Number: RM-75

Proposed Zoning Designation: C-1

Comprehensive Land Use Map Designation: Commercial/Office (Existing Land Use Map)

Commercial redevelopment Corridor (Future Land Use)

Planner: P. Ruffin Date: 12/03/14

LETTER OF INTENT

December 3, 2014



Planning & Zoning Department
City of Brookhaven
4362 Peachtree Road
Brookhaven, GA 30319

To Whom It May Concern:

The existing property is a 1.613 acre (70,264 SF) lot that fronts Buford Highway. The property contains one existing building. The existing building is a single story building of approximately 9,082 SF and is used as a Knights of Columbus Hall. The current zoning of the project is RM-75 Single Family Residential. The proposed project is to rezone the lot from RM-75 to C-1 in order to bring a non-conforming use into conformance with the zoning code. The proposed new zoning classification would be C-1 Commercial. The existing building, drive, curb cut, and all existing paved areas would remain. All existing vegetated areas would remain.

Please refer to Attachment 01 for additional information regarding project scope.

Sincerely,

Jordan Williams
Plexus r+d, Inc.
914 Howell Mill Rd. Suite 400
404.519.7728

Attachment 01

Property Information Questions:



- 1. Is the zoning proposal in conformity with the policy and intent of the comprehensive plan?**
Yes. The lot is currently being used as a Knights of Columbus Lodge. The Future Land Use map in the Comprehensive Land Use Maps designates this lot as "Commercial Redevelopment Corridor". The proposal to rezone from RM-75 to C-1 would bring a non-conforming use into conformance, and the proposal would revise the zoning designation to a designation more suitable to the comprehensive plan.
- 2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?**
Yes. The lot to the north east is currently zoned as RM-75, but it is currently underdeveloped. The Future Land Use Map designates it as "Commercial Redevelopment Corridor". Rezoning to C-1 would be a suitable in view of adjacent properties as outlined in the Future Land Use Map.
- 3. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned?**
No. The topography and size of the lot is not adequate for multi-family residential. The existing use (Knights of Columbus Lodge) is a nonconforming use under the current zoning.
- 4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
No. The existing structure, use, and parking areas are all existing conditions to remain.
- 5. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
Yes. The topography of the site is very steep and limits the buildable area. A 75ft impervious surface barrier running parallel with North Fork Peachtree Creek along the north side of the lot also limits the extent of development, making the lot ill-suited for multi-family residential.
- 6. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources?**
No. The lot is not in any designated Historic Area per the Comprehensive Land Use Maps. The zoning proposal is simply to rezone the current use from RM-75 to C-1 while leaving the existing building and site as is.
- 7. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?**
No. The existing use, building, and parking is to remain, so use of existing streets, transportation facilities, utilities, and schools will remain unchanged.

December 3, 2014



Dear Property Owner:

This letter is to notify you of a Neighborhood Meeting to review a proposal to re-zone the nearby property of 2620 Buford Highway from RM-75 (multi-family residential) to C-1 (Commercial). The hearing will be held at the date, time, and location listed below. We encourage you to attend.

Date: December 15, 2014

Time: 7:00 P.M.

Location: 2620 Buford HWY
Atlanta, GA 30324

Sincerely,

Jordan Williams
Plexus r+d, Inc.
914 Howell Mill Rd. Suite 400
404.519.7728

Attachment 02 Public Participation Plan



Part 1

Mailing addresses of all property owners within 500 feet of the subject property:

Name	Site Address	Post-Office Address	Tract Parcel ID #
Wood, Titus	1595 Rivers Edge TRL	1595 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 012
Holloway, Troy L	1597 River Edge TRL	1597 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 011
Kohl, Robert	1598 Rivers Edge TRL	1598 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 013
Cunningham, Michelle M	1599 Rivers Edge TRL	1599 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 010
Trejos, Clara I	1600 Rivers Edge TRL	1237 Willow Oaks DR E Jacksonville Beach, FL 32250	18 154 11 014
Slack, Teresa	1601 Rivers Edge TRL	1601 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 009
Bruce Carolyn J	1602 Rivers Edge TRL	1602 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 015
Pang, Benny C	1603 Rivers Edge TRL	1603 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 008
Gist, Yelena A	1604 Rivers Edge TRL	1604 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 016
Shoob, Hylan D	1605 Rivers Edge TRL	1605 Rivers Edge TRL NE Atlanta, GA 30324	18 154 11 007
Rivers Edge Land Trust	1606 Rivers Edge TRL	1606 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 017
Addaquay, Thomas	1607 Rivers Edge TRL	1607 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 006
Watkins, Drew	1608 Rivers Edge TRL	1608 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 018
Andrews, Janna L	1613 Rivers Edge TRL	1613 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 005
Brotherton, Mathew T	1615 Rivers Edge TRL	1615 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 004
Cohen, David	1617 Rivers Edge TRL	1617 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 003
Gates, Orlando	1619 Rivers Edge TRL	1619 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 002
Parker, Philomena	1621 Rivers Edge TRL	1621 Rivers Edge TRL NE, Atlanta, GA 30324	18 154 11 001
Hancock, Ervan	2661 Rivers Edge Dr	2661 Rivers Edge DR Atlanta, GA 30324	18 154 11 019
Sanders, Chris	2663 Rivers Edge Dr	2663 Rivers Edge DR Atlanta, GA 30324	18 154 11 020
Mishira, Himanshu	2665 Rivers Edge Dr	2665 Rivers Edge DR Atlanta, GA 30324	18 154 11 021
Alves, Kevin	2667 Rivers Edge Dr	2667 Rivers Edge DR Atlanta, GA 30324	18 154 11 022
Townson, Mary Ida	2669 Rivers Edge Dr	2669 Rivers Edge DR Atlanta, GA 30324	18 154 11 023
Verdin, Richie	2671 Rivers Edge Dr	2671 Rivers Edge DR Atlanta, GA 30324	18 154 11 024
Badiqi, Pauline	2673 Rivers Edge Dr	2673 Rivers Edge DR Atlanta, GA 30324	18 154 11 025



Richardson, Patrick	2675 Rivers Edge Dr	2675 Rivers Edge DR Atlanta, GA 30324	BY: _____ 18 154 11 026
Hanauer, Whitney L	2677 Rivers Edge Dr	2677 Rivers Edge DR Atlanta, GA 30324	18 154 11 027
Lueng, Karen	2679 Rivers Edge DRr	2679 Rivers Edge DR Atlanta, GA 30324	18 154 11 028
Reid, Jacqueline	2681 Rivers Edge Dr	2681 Rivers Edge DR Atlanta, GA 30324	18 154 11 029
Beasley, Mark B	2683 Rivers Edge Dr	2683 Rivers Edge DR Atlanta, GA 30324	18 154 11 030
Conley and Harley LLC	2678 Buford HWY	P O Box 79547 Atlanta, GA 30357	18 154 01 004
Sunshine Property Group LLC	2690 Buford HWY	880 N Island Dr Sandy Springs, GA 30327	18 154 01 005
Howell Adams Building Fund LLC	2687 Buford Hwy	2695 Buford Hwy Box 3 Atlanta GA 30324	18 154 06 007
Howell Adams Buidling Funds LLC	2677 Buford Hwy	2695 Buford Hwy Box 3 Atlanta, GA 30324	18 154 06 006
Howell Adams Buidling Fund LLC	2665 Buford Hwy	2695 Buford Hwy Box 3 Atlanta, GA 30324	18 154 06 005
255 Buford Highway LLC	2655 Buford Hwy LLC	PO BOX 13044 Atlanta, GA 30324	18 154 06 004
TS N Enterprises Inc	2647 Buford Hwy	2647 Buford Hwy NE Atlanta, GA 30324	18 154 06 003
La Familia Latina Corporation	2641 Buford Hwy	3451 Atlanta Industrial Pkwy Atlanta, GA 30331	18 154 06 002
Dollarman Investments III LLC	2631 Buford Hwy	4443 Northside Pkwy NW Apt 272 Atlanta, GA 30327	18 154 06 001

Property owners located within 500 feet of the subject property shall receive a letter notifying them of the date, time, and location of the Planning Commission Hearing.

Attachment 03
ENVIRONMENTAL SITE ANALYSIS



1. CONFORMANCE TO THE COMPREHENSIVE PLAN

- a. **Describe the proposed project and the existing environmental conditions of the site:**
The existing property is a 1.613 acre (70,264 SF) lot that fronts Buford Highway. The property contains one existing building. The existing building is a single story building of approximately 9,082 SF and is used as a Knights of Columbus Hall. The current zoning of the project is RM-75 Single Family Residential. The proposed project is to rezone the lot from RM-75 to C-1 in order to bring a non-conforming use into conformance with the zoning code. The proposed new zoning classification would be C-1 Commercial. The existing building, drive, curb cut, and all existing paved areas would remain.
- b. **Describe adjacent properties. Include a site plan that depicts the proposed project.**
Adjacent properties to the north east are zoned RM-75 and include multi-family housing units. The property to the west is zoned C-1 in Fulton county and contains a beer & wine store. On the south east side of the lot is Buford Highway. On the opposite side of Buford Highway are multiple C-1 zones which include a restaurant, shooting range, & veterinary clinic.
- c. **Describe how the project conforms to the Comprehensive Land Use Plan**
The Future Land Use map in the Comprehensive Land Use Maps designates this lot as "Commercial Redevelopment Corridor". The proposal to rezone from RM-75 to C-1 would bring a non-conforming use into conformance, and the proposal would revise the zoning designation to a designation more suitable to the comprehensive plan.
- d. **Include the portion of the Comprehensive Plan Land Use Map which supports the projects conformity to the plan.**
See attached Future Development Map from the Comprehensive Plan Land Use Maps.
- e. **Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.**
See Item 1.a above & Attachment 01.

2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

- a. **Wetlands**
The site does contain any wetlands. Refer to attached National Wetlands Inventory Map.
- b. **Floodplain**
The site does include a flood plain. See attached Flood Plain Maps. The existing structure and paved areas are outside the flood plain. The proposed project does not include any site improvements that would encroach into the flood plain.
- c. **Streams/stream buffers**
An existing stream and impervious surface buffer exists on the rear (northwest) of the site. Refer to survey. The proposed project does not include any site improvements that would encroach into the impervious surface buffer beyond what surfaces that already exist.
- d. **Slopes exceeding 25 percent over a 10-foot rise in elevation**
Slopes exceeding the elevation above are present on site. The proposed project does not include any site improvements that would affect or change the existing slope.



e. Vegetation

There are three existing trees in the center of the site (refer to site plan). There is additional vegetation in the impervious surface buffer on the rear (northwest) of the site. The proposed project does not include any site improvements that would encroach into the existing vegetated areas.

f. Wildlife Species

No wildlife species were observed on site.

g. Archaeological/Historical Sites

The site is not in a designated historical area per the Comprehensive Land Use Maps. No archaeological or historical sites or items were observed on site.

3. PROJECT IMPLEMENTATION MEASURES

- a. Protection of environmentally sensitive areas, i.e. floodplain, slopes exceeding 25 percent, river corridors.** In the proposed project, all existing buildings and impervious surfaces would remain as is. No site improvements are being proposed that would affect environmentally sensitive areas.
- b. Protection of water quality.** In the proposed project, all existing buildings and impervious surfaces would remain as is. No improvements are being proposed that would affect water quality.
- c. Minimization of negative impacts on existing infrastructure.** In the proposed project, all existing buildings and impervious surfaces would remain as is. The proposed project would not create any additional stresses on the existing infrastructure.
- d. Minimization of archaeological/historical significant areas.** No archaeological or historically significant areas were observed on the subject lot.
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.** These conditions are not present on the subject lot.
- f. Creation and preservation of green space and open space.** The proposed project would preserve all existing green space and open space.
- g. Protection of citizens from the negative impacts of noise and lighting.** The proposed project does not include any site improvements that would affect noise or lighting.
- h. Protection of parks and recreation green space.** No parks or recreation green space is present on the subject lot.
- i. Minimization of impacts to wildlife habitats.** The proposed project does not include any site improvements that would affect wildlife habitats.

DESCRIPTION

2620 Buford Highway



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 6 OF THE 17TH. DISTRICT FULTON COUNTY, GEORGIA and LAND LOT 154 OF THE 18TH. DISTRICT OF DEKALB COUNTY, GEORGIA AND BEING SHOWN ON A PLAT OF SURVEY FOR COLUMBIAN BUILDING ASSOCIATION BY McCLUNG SURVEYING SERVICES, Inc. PREPARED ON 7-30-14 AND BEING MORE FULLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT LOCATED AT THE INTERSECTION OF THE COMMON DIVISION LINE OF LAND LOT 6 OF THE 17TH. DISTRICT OF FULTON COUNTY AND LAND LOT 154 OF THE 18TH DISTRICT OF DEKALB COUNTY AND THE NORTHWESTERLY RIGHT-OF-WAY OF BUFORD HIGHWAY (A.K.A. STATE HIGHWAY #13) (R/W VARIES). THENCE RUNNING NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY OF BUFORD HIGHWAY A DISTANCE OF 156.54 FEET TO A REBAR FOUND AND THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING PROCEED S43°35'59"W ALONG THE NORTHWESTERLY RIGHT-OF-WAY OF BUFORD HIGHWAY A DISTANCE OF 304.00 FEET TO A NAIL SET, THENCE LEAVING THE NORTHWESTERLY RIGHT-OF-WAY OF BUFORD HIGHWAY AND RUNNING N47°06'38"W A DISTANCE OF 335± FEET TO A POINT LOCATED WITHIN THE CENTERLINE OF NORTH FORK PEACHTREE CREEK. THENCE RUNNING NORTHEASTERLY AND FOLLOWING THE MEANDERINGS OF THE CENTERLINE OF AFOREMENTIONED CREEK A DISTANCE OF 182± FEET TO A POINT, THENCE LEAVING THE CENTERLINE OF AFOREMENTIONED CREEK AND RUNNING N89°52'32"E A DISTANCE OF 183± FEET TO A REBAR FOUND LOCATED ALONG AFOREMENTIONED LAND LOT LINE. THENCE RUNNING S00°51'22"E ALONG SAID LAND LOT LINE A DISTANCE OF 40.38 FEET TO A REBAR FOUND, THENCE RUNNING S71°33'18"E A DISTANCE OF 114.29 FEET TO AFOREMENTIONED REBAR FOUND LOCATED ALONG THE NORTHWESTERLY RIGHT-OF-WAY OF BUFORD HIGHWAY and THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 1.613± ACRES OR 70,264± SQUARE FEET.

RECEIPT

Receipt #: 03816



City of Brookhaven
BUILDING DIVISION
4362 Peachtree Rd
404-637-0500 Fax 404-637-0501

Payment Method: CC
Reference No.: 6605
Amount Paid: \$895.00
Payment Date: 12/3/2014 4:13:31 PM

Payment From: WILLIAMS
Fund Transfer To: 14BH-OTHR00229
Cashier: Phyllis Humrich
Comments:

Permit #: 14BH-OTHR00229
Application Type: Misc./One Stop / Other / Miscellaneous
Address: 2620 BUFORD HIGHWAY
Brookhaven, GA

Owner Info: KEN PROVOST
2620 BUFORD HIGHWAY
Brookhaven, GA 30324

Work Description: REZONE TO C-1 \$750, 1 SIGN, LEGAL AD
Valuation: \$0.00

Fee Item	Account Code	Amount
Other Fees		\$145.00
Misc. Brookhaven Fee		\$750.00
Total Fee Amount:		\$895.00

Other Payment(s): \$0.00
Balance: \$0.00